



3739
Patent #10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Edwards et al

Examiner: M. Peffley

Serial No.: 10/024,747

Art Group: 3739

Filed: 19 December 2001

For: Graphical User Interface for Association with an Electrode Structure
Deployed in Contact with a Tissue Region

**Request for Correction of Inventorship
Pursuant to 37 C.F.R. §1.48(a)**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450



26308

PATENT TRADEMARK OFFICE

Sir:

Assignee hereby requests, pursuant to 37 C.F.R. §1.48(a), correction of inventorship in the above-identified case by the addition of joint inventor Peter H. Muller.

As required by 37 C.F.R. §1.48(a), accompanying this Request are:

1. Statement from Peter H. Muller that the error in inventorship occurred without any deceptive intent on his part (TAB 1).
2. A Declaration by the actual inventors as required by 37 C.F.R. §1.63 (TAB 2).
3. An assignment, executed by the actual inventors, with a Recordation Form Cover Sheet (TAB 3).
4. The written consent of the assignee (TAB 4).
5. The processing fee as set forth in 37 C.F.R. §1.17(i).

A check payable in an amount to cover the requisite processing fee for this Request to Change Inventorship and Request for Recordation of Assignment is attached. You are authorized to charge any excess fees, or to credit overpayments, to Deposit Account No. 06-2360. A copy of this Request (without attachments) is attached for this purpose.

01/22/2004 DTESSEM1 00000076 10024747

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130.00 DP

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CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

By: Linda S. Wenzel


Dated: 14 January 2004

Linda S. Wenzel

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Approval of this Request is respectfully solicited.

Respectfully submitted,

By 
Daniel D. Ryan, Reg. No. 29,243

RYAN KROMHOLZ & MANION, S.C.
P.O. Box 26618
Milwaukee, WI 53226-1618
(262) 783-1300
14 January 2004
Customer No.: 26308

CURON9222.16399-D DIV/040114 PETITION

Enclosures



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of or

Continuation Application of: Edwards et al

Examiner: Unknown

Serial No. : 10/024,747

Art Group: Unknown

Filed : December 19, 2001

For : Graphical User Interface for Association with an Electrode
Structure Deployed in Contact with a Tissue Region

STATEMENT OF PETER H. MULLER
REGARDING CHANGE OF INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)

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Commissioner of Patents
and Trademarks
Washington, D.C. 20231

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Sir:

I, Peter H. Muller, do understand that a Request has been made to change the inventorship of this application by adding me as a joint inventor. I state that the error in inventorship occurred without any deceptive intent on my part. I, together with my fellow joint inventors, have executed a new Declaration.

I know that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the patent issued hereon. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Dated 8.5.03

By Peter H. Muller
Peter H. Muller



PATENT

Attorney's Docket No. 9222.16399-D DIV

COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☐ original
☐ design
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☒ divisional
☐ continuation
☐ continuation-in-part (CIP)

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INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

GRAPHICAL USER INTERFACE FOR ASSOCIATION WITH AN ELECTRODE STRUCTURE
DEPLOYED IN CONTACT WITH A TISSUE REGION

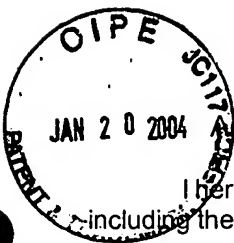
SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☐ is attached hereto.
(b) ☒ was filed on 19 December 2001 as ☒ Serial No. 10/024,747
or ☐ Express Mail No., as Serial No. not yet known _____
and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on _____ (if any):



ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

(also check the following item, if desired)

- [] In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) [x] no such applications have been filed.
- (e) [] such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. S 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			[] YES NO []
			[] YES NO []
			[] YES NO []
			[] YES NO []
			[] YES NO []

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ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. S 120.

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*List name and registration number*)

Daniel D. Ryan (29,243)
John M. Manion (38,957)
Arnold J. Ericson (16,879)
Patricia A. Limbach (50,295)

Joseph A. Kromholz (34,204)
Daniel R. Johnson (46,204)
Laura A. Dable (46,436)

(*check the following item, if applicable*)

[] Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

DANIEL D. RYAN
RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226-0618

DANIEL D. RYAN
PHONE CALLS
(262) 783 - 1300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

STUART
(GIVEN NAME) D
(MIDDLE INITIAL OR NAME) EDWARDS
(FAMILY (OR LAST NAME))
Inventor's signature _____
Date 6/12/03 Country of Citizenship US
Residence (City, State/Country) SALINAS, CALIFORNIA
Post Office Address 14601 ROLAND CANYON ROAD
SALINAS, CALIFORNIA 94028

Full name of second joint inventor, if any

JOHN
(GIVEN NAME) (MIDDLE INITIAL OR NAME) GAISER
(FAMILY (OR LAST NAME))
Inventor's signature _____
Date _____ Country of Citizenship US
Residence (City, State/Country) MOUNTAIN VIEW, CALIFORNIA
Post Office Address 910 BUSH STREET
MOUNTAIN VIEW, CALIFORNIA 94041

Full name of third joint inventor, if any

DAVID
(GIVEN NAME) S
(MIDDLE INITIAL OR NAME) UTLEY
(FAMILY (OR LAST NAME))
Inventor's signature _____
Date _____ Country of Citizenship US
Residence (City, State/Country) REDWOOD CITY, CALIFORNIA
Post Office Address 3725 JEFFERSON COURT
REDWOOD CITY, CALIFORNIA 94062

Full name of fourth joint inventor, if any

SCOTT
(GIVEN NAME) (MIDDLE INITIAL OR NAME) WEST
(FAMILY (OR LAST NAME))
Inventor's signature _____
Date _____ Country of Citizenship US
Residence (City, State/Country) LIVERMORE, CALIFORNIA
Post Office Address 1627 FELDSPAR COURT
LIVERMORE, CALIFORNIA 94550

Full name of fifth joint inventor, if any

JAY
(GIVEN NAME) (MIDDLE INITIAL OR NAME) QIN
(FAMILY (OR LAST NAME))
Inventor's signature _____
Date _____ Country of Citizenship US
Residence (City, State/Country) FREMONT, CALIFORNIA
Post Office Address 5034 XAVIER COMMON
FREMONT, CALIFORNIA 94555

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

STUART (GIVEN NAME) D (MIDDLE INITIAL OR NAME) EDWARDS (FAMILY (OR LAST NAME))
 Inventor's signature _____
 Date 6/12/03 Country of Citizenship US
 Residence (City, State/Country) SALINAS, CALIFORNIA
 Post Office Address 14601 ROLAND CANYON ROAD
 SALINAS, CALIFORNIA 94028

Full name of second joint inventor, if any

JOHN (GIVEN NAME) W. (MIDDLE INITIAL OR NAME) GAISER (FAMILY (OR LAST NAME))
 Inventor's signature _____
 Date 11/4/03 Country of Citizenship US
 Residence (City, State/Country) MOUNTAIN VIEW, CALIFORNIA
 Post Office Address 310 BUSH STREET 373 PAUL AVE.
 MOUNTAIN VIEW, CALIFORNIA 94041

Full name of third joint inventor, if any

DAVID (GIVEN NAME) S (MIDDLE INITIAL OR NAME) UTLEY (FAMILY (OR LAST NAME))
 Inventor's signature _____
 Date _____ Country of Citizenship US
 Residence (City, State/Country) REDWOOD CITY, CALIFORNIA
 Post Office Address 3725 JEFFERSON COURT
 REDWOOD CITY, CALIFORNIA 94062

Full name of fourth joint inventor, if any

SCOTT (GIVEN NAME) H. (MIDDLE INITIAL OR NAME) WEST (FAMILY (OR LAST NAME))
 Inventor's signature _____
 Date 11/4/03 Country of Citizenship US
 Residence (City, State/Country) LIVERMORE, CALIFORNIA
 Post Office Address 1627 FELDSPAR COURT
 LIVERMORE, CALIFORNIA 94550

Full name of fifth joint inventor, if any

JAY (GIVEN NAME) (MIDDLE INITIAL OR NAME) QIN (FAMILY (OR LAST NAME))
 Inventor's signature _____
 Date _____ Country of Citizenship US
 Residence (City, State/Country) FREMONT, CALIFORNIA
 Post Office Address 5034 XAVIER COMMON
 FREMONT, CALIFORNIA 94555

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

STUART
(GIVEN NAME) D
(MIDDLE INITIAL OR NAME) EDWARDS
(FAMILY (OR LAST NAME))
Inventor's signature [Signature]
Date 6/12/03 Country of Citizenship US
Residence (City, State/Country) SALINAS, CALIFORNIA
Post Office Address 14601 ROLAND CANYON ROAD
SALINAS, CALIFORNIA 94028

Full name of second joint inventor, if any

JOHN
(GIVEN NAME) W.
(MIDDLE INITIAL OR NAME) GAISER
(FAMILY (OR LAST NAME))
Inventor's signature [Signature]
Date 11/4/03 Country of Citizenship US
Residence (City, State/Country) MOUNTAIN VIEW, CALIFORNIA
Post Office Address 910 BUSH STREET 373 PAUL AVE.
MOUNTAIN VIEW, CALIFORNIA 94041

Full name of third joint inventor, if any

DAVID
(GIVEN NAME) S
(MIDDLE INITIAL OR NAME) UTLEY
(FAMILY (OR LAST NAME))
Inventor's signature [Signature]
Date 10-30-03 Country of Citizenship US
Residence (City, State/Country) REDWOOD CITY, CALIFORNIA
Post Office Address 3725 JEFFERSON COURT
REDWOOD CITY, CALIFORNIA 94062

Full name of fourth joint inventor, if any

SCOTT
(GIVEN NAME) H.
(MIDDLE INITIAL OR NAME) WEST
(FAMILY (OR LAST NAME))
Inventor's signature [Signature]
Date 11/4/03 Country of Citizenship US
Residence (City, State/Country) LIVERMORE, CALIFORNIA
Post Office Address 1627 FELDSPAR COURT
LIVERMORE, CALIFORNIA 94550

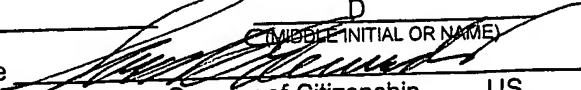
Full name of fifth joint inventor, if any

JAY
(GIVEN NAME)
(MIDDLE INITIAL OR NAME) QIN
(FAMILY (OR LAST NAME))
Inventor's signature
Date Country of Citizenship US
Residence (City, State/Country) FREMONT, CALIFORNIA
Post Office Address 5034 XAVIER COMMON
FREMONT, CALIFORNIA 94555

SIGNATURE(S)

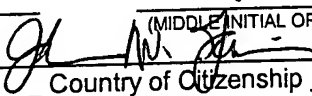
NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

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(GIVEN NAME)
Inventor's signature 
Date 6/12/03 Country of Citizenship US
Residence (City, State/Country) SALINAS, CALIFORNIA
Post Office Address 14601 ROLAND CANYON ROAD
SALINAS, CALIFORNIA 94028

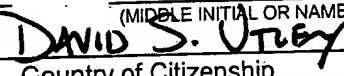
EDWARDS
FAMILY (OR LAST NAME)

Full name of second joint inventor, if any

JOHN
(GIVEN NAME)
Inventor's signature 
Date 11/4/03 Country of Citizenship US
Residence (City, State/Country) MOUNTAIN VIEW, CALIFORNIA
Post Office Address 910 BUSH STREET
373 PAUL AVE.
MOUNTAIN VIEW, CALIFORNIA 94041

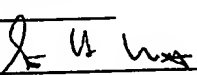
GAISER
FAMILY (OR LAST NAME)

Full name of third joint inventor, if any

DAVID
(GIVEN NAME)
Inventor's signature 
Date 10-30-03 Country of Citizenship US
Residence (City, State/Country) REDWOOD CITY, CALIFORNIA
Post Office Address 3725 JEFFERSON COURT
REDWOOD CITY, CALIFORNIA 94062

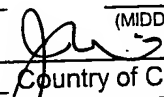
UTLEY
FAMILY (OR LAST NAME)

Full name of fourth joint inventor, if any

SCOTT
(GIVEN NAME)
Inventor's signature 
Date 11/4/03 Country of Citizenship US
Residence (City, State/Country) LIVERMORE, CALIFORNIA
Post Office Address 1627 FELDSPAR COURT
LIVERMORE, CALIFORNIA 94550

WEST
FAMILY (OR LAST NAME)

Full name of fifth joint inventor, if any

JAY
(GIVEN NAME)
Inventor's signature 
Date 12-26-03 Country of Citizenship US
Residence (City, State/Country) FREMONT, CALIFORNIA
Post Office Address 5034 XAVIER COMMON
FREMONT, CALIFORNIA 94555

QIN
FAMILY (OR LAST NAME)

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of joint inventor

PETER H MULLER
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)
Inventor's signature _____
Date _____ Country of Citizenship US GERMANY
Residence LOS GATOS, CALIFORNIA WOODSIDE, CALIFORNIA
Post Office Address 135 CHARLES STREET 155 SUNRISE DRIVE
LOS GATOS, CALIFORNIA 95032 WOODSIDE, CALIFORNIA 94062

Ph
8.5.03

Full name of joint inventor

(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)
Inventor's signature _____
Date _____ Country of Citizenship _____
Residence _____
Post Office Address _____

Full name of joint inventor

(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)
Inventor's signature _____
Date _____ Country of Citizenship _____
Residence _____
Post Office Address _____

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION

☒ Signature for sixth and subsequent joint inventors. Number of pages added 1

* * *

☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added _____

* * *

☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____

* * *

☒ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

☒ Number of pages added 2

* * *

☐ Authorization of attorney(s) to accept and follow instructions from representative

* * *

(If no further pages form a part of this declaration then end this declaration with this page and check the following item:)

☐ This declaration ends with this page



Attorney's Docket No. 9222.16399-D DIV

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR US PRIORITY CLAIM**

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, S 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, S 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:**

Status
(CHECK ONE)

U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 09 / 026,296	19 FEBRUARY 1998	x		
2. 09 / 305,123	04 MAY 1999	x		
3. 0 /				

PCT APPLICATIONS DESIGNATING THE U.S.

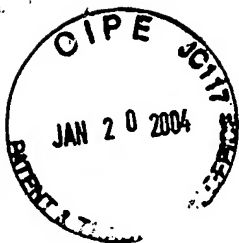
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

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35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

**DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY APPLICATION
CLAIMED UNDER 35 USC 119**

Above Appln. No.	Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)
1.				
2.				
3.				
4.				
5.				
6.				



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of or
Continuation Application of: Edwards et al

Examiner: Unknown

Serial No. : 10/024,747

Art Group: Unknown

Filed : December 19, 2001

For : Graphical User Interface for Association with an Electrode
Structure Deployed in Contact with a Tissue Region

**CONSENT OF ASSIGNEE
TO CHANGE OF INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Curon Medical, Inc., 46117 Landing Parkway, Fremont, California 94538-6407, is the owner of 100% interest in this U.S. Patent application by virtue of an assignment, a true copy of which is attached.

Assignee hereby assents to the correction of inventorship filed herewith, namely adding Peter H. Muller as co-inventor.

I state that I am authorized to act on behalf of the assignee.

In accordance with 37 C.F.R. 3.73, the assignee hereby certifies that the evidentiary documents with respect to ownership have been reviewed and that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take this action.

Dated 4 November 2003

By Patrick J. Rimroth

Name Patrick J. Rimroth

Title Sr VP of Operations and R&D